

May 24, 1973

SENATOR MARSH: Mr. President, I'd like to amend this motion to include 306 and 306A.

PRESIDENT: 306 and 306A?

SENATOR MARSH: Yes.

PRESIDENT: Alright. Motion now as Senator Marsh's amendment which would amend, which would amend the original motion here which was to 110 and 110A, now the motion is to include 306, 306A. That's the motion and the motion before the body at this time. Is there any further discussion of the amendment which would add 306 and 306A? Any further discussion? Senator Marsh, do you have any closing on your motion?

SENATOR MARSH: No. Thank you.

PRESIDENT: Alright, question is shall the amendment be adopted to the original amendment which was 110 and 110A? All those in favor of adding 306, 306A vote aye, vote aye. All those opposed vote no. The motion is to include LB 306 and 306A to the motion to read 110 and 110A. Have you all voted? Clerk will record.

CLERK: 19 ayes, 11 nays, 19 not voting.

PRESIDENT: Motion fails to amend. We're back to the original question which was to read on final reading 110 and 110A. The Chair recognizes Senator Fred Carstens.

SENATOR CARSTENS: Mr. President and Members, I would appeal to this body to pass 110 and I think 110A. It is foolish to risk our judicial nominating commission and the appointment of our judges and vacancies that might occur because of this policy that we have on a bill that would cost so very little. Now again I--it's already been said, I'm going to be very brief. This is a constitutional amendment that has to be adopted and implemented into law sometime. We cannot go along and it is--this way and it is the height of foolishness to jeopardize the validity of decision which future judges may make who are going to be appointed to fill vacancies or who have even been appointed and particularly those that are going to be appointed by a system that is in doubt as to whether or not their appointment is valid. We should pass this bill--these bills.

PRESIDENT: Chair recognizes Senator Luedtke.

SENATOR LUEDTKE: Mr. President, I would reecho what Senator Carstens said. The Judiciary Committee worked on this for the last couple of years and we've changed the constitutional amendment to improve the, the manner and the procedures through which the judicial nominating committees work. Now let us put it into action. The only way we can put this into action is to pass 110 and certainly it would be a terrible thing if we were to go home and not finish the job which we started.

PRESIDENT: Any further discussion of the motion. Does somebody want to close? Senator Waldron, do you want to close? Senator Carstens, Fred Carstens, do you want to close on your motion here? No closing on the motion. Question is shall LB 110, 110A be read on final reading? All those in favor vote aye. All those opposed vote no. Thank you. Clerk will record.